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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/596,663	06/19/2000	Brett Gavagni	6169-159	4323

40987 7590 06/03/2004

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WEST PALM BEACH, FL 33402-3188

EXAMINER
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NOBAHAR, ABDULHAKIM

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 06/03/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/596,663

Applicant(s)

GAVAGNI ET AL.

Examiner

Abdulhakim Nobahar

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saylor et al. (6,707,889 B1; hereinafter Saylor) in view of Jardin (6,681,327 B1).

Claims 1, 4, 14, 15, 19-21, 24, 34, 35, 39 and 40

Saylor teaches a method for secure communication between a voice browser and a server (corresponding to the recited network device) with XML-based content transaction (col. 10, lines 17-40; col. 26, lines 45-63). Saylor also teaches an authentication process for a secure transaction between the Voice browser and the network server storing XML-based voice files (i.e., VoiceXML Browser Server) (col. 2, lines 1-25; col. 11, lines 24-36; col. 17, lines 16-39). Saylor, however, does not expressly disclose the encryption of VoiceXML-based content transmitted between a voice browser and a server.

Jardin discloses a system for a secure client-server communication over Internet using a secure links such as secure socket layer (SSL) and IPSec (see abstract; col. 1, line 40-col. 2, line 30; col. 2, lines 55-67). Jardin discloses that the client request for establishing a secure link with a server is transmitted to the server (col. 3, lines 14-22;

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Fig. 2). Jordan also discloses that the server sends a digital certificate to the client (col. 5, lines 7-10). Jardin further discloses that the client and server authenticate each other and negotiate shared secrets and an algorithm for encrypting the transmitting information between the client and server (col. 4, lines 48-67; col. 5, lines 20-30; col. 5, lines 53-60). Jardin system uses the negotiated shared secret(s) to encrypt the transaction exchanged between the client and server.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement the encryption of the XML-based transaction between a voice browser and a server using a negotiated shared secret(s) as taught in Jardin in the system of Saylor, because it would ensure the privacy of the information being transmitted from a sender to a recipient (col. 1, lines 40-45).

Claims 2, 3, 5, 6, 18, 22, 23, 25, 26 and 38

Jardin discloses that during the authentication process digital certificates, which are compliant with X.509 and contain the client and server public keys are transmitted to the server and client (corresponding to the recited Voice Browser) (col. 4, lines 48-55; col. 5, lines 7-15; col. 5, lines 39-42).

Claims 7, 8, 27 and 28

Saylor discloses that during the authentication process both client and server (i.e., voice browser and network device) are challenged to prove their identities (col. 8, lines 10-17; col. 17, lines 15-30).

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Claims 7 and 8

Jardin discloses that during the authentication process both client and server (i.e., voice browser and network device) are challenged to prove their identities (col. 1, lines 49-55).

Claims 9 and 10

Saylor discloses that in order to provide greater security during authentication and preventing misuse of the system a higher level of authentication may be implemented (corresponding to the recited public key cryptography) (col. 1, lines 51-61).

Claims 9, 10, 29 and 30

Jardin discloses that in order to prevent eavesdrop by hackers during authentication, public key cryptography is used to provide greater security (col. 1, lines 51-61).

Claims 11, 12, 31 and 32

Jardin discloses the use of public key cryptography technique for generating a shared secret(s) (col. 4, lines 48-55).

Claims 13, 16, 17, 33, 36 and 37

Jardin discloses that during negotiating process between a client and a server a list of cipher suites (corresponding to the recited a list of supported symmetrical

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cryptographic algorithm) are exchanged in order to select an algorithm for encrypting and decrypting the exchanged information between the sender and recipient (col. 4, line 59- col. 5, line 15).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,603,761 B1 to Wang et al.

U.S. Patent No. 6,611,869 B1 to Eschelbeck et al.

U.S. Patent No. 6,094,485 to Weinstein et al.

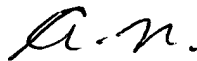
U.S. Patent No. 6,728,536 B1 to Basilier et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 703-305-8074. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

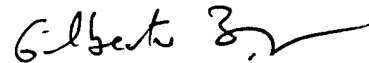
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Abdulhakim Nobahar  
Examiner  
Art Unit 2132

AN  
May 26, 2004



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